



Federal Communications Commission
Washington, D.C. 20554

April 16, 2007

DA 07-1727

Released: April 16, 2007

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

KVUE Television, Inc.
KVUE(TV)
400 South Record Street
Dallas, TX 75202

Re: KVUE Television, Inc.
KVUE(TV), Austin, TX
Facility ID No. 35867
File No. BRCT-20060403BEY

Dear Licensee:

This refers to your license renewal application for station KVUE(TV), Austin, TX.

Under the Commission's rules implementing the Children's Television Act of 1990 (CTA),¹ each television broadcast station licensee has an obligation, during its license term, to air programming that serves the educational and informational needs of children through both the licensee's overall programming and programming "specifically designed" to educate and inform children (core programming).² The Commission's rules require commercial licensees to provide information to the public about the shows they air to fulfill their obligation. Section 73.3526(e)(11)(iii) of the Commission's Rules (the "Rules"), 47 C.F.R. § 73.3526(e)(11)(iii), requires each commercial television broadcast station to prepare and place in its public inspection file a Children's Television Programming Report (FCC Form 398) for each calendar quarter reflecting, *inter alia*, the efforts it has made during the quarter to serve the educational needs of children. As set forth in Section 73.3526(e)(11)(iii), licensees are also required to file the reports with the Commission and to publicize for the public the existence and location of the reports.

On April 3, 2006, you filed the above-referenced license renewal application for station KVUE(TV). In response to Section IV, Question 10, you stated that you failed to publicize the existence and location of the station's Children's Television Programming Reports, as set forth in Section 73.3526(e)(11)(iii) of the Rules. In Exhibit 24, you indicated that station KVUE(TV)'s traffic system was changed in 2003 and that during this transition, "the contract

¹ Pub. L. No. 101-437, 104 Stat. 996-1000, *codified at* 47 U.S.C. Sections 303a, 303b and 394.

² 47 C.F.R. § 73.671.

providing for scheduling of on-air announcements regarding KVUE's children's television reports" was mistakenly eliminated. You reported that, no announcements concerning the existence and location of station KVUE(TV)'s Children's Television Programming Reports were broadcast between March 2003 and December 2005. You asserted that when you discovered this error in December 2005, you immediately took steps to resume broadcasting announcements concerning station KVUE(TV)'s Children's Television Programming Reports.

Based on the record before us, we think that an admonition is warranted for the station's failure to publicize the existence and location of the Children's Television Programming Reports. Although we do not rule out more severe sanctions for violations of this nature in the future, we have determined that an admonition is appropriate at this time. Therefore, based upon the facts and circumstances before us, we ADMONISH you for the admitted violations of Section 73.3526(e)(11)(iii) of the Rules described in station KVUE(TV)'s renewal application.

Accordingly, IT IS ORDERED that, a copy of this Letter shall be sent by First Class and Certified Mail, Return Receipt Requested to KVUE Television, Inc. at the address listed above, and to its counsel, Kathleen Kirby, Esquire, Wiley Rein & Fielding LLP, 1776 K Street, N.W., Washington, D.C. 20006.

Sincerely,

Barbara A. Kreisman
Chief, Video Division
Media Bureau